

## Remarks

In the present response, no claims are amended. Claims 1 – 71 are presented for examination.

### **Claim Rejections: 35 USC § 103(a)**

Claims 1-7, 12-19, 24, 25, 26-36, 40-48, 53-62, 66, and 67 are rejected under 35 USC § 103(a) as being unpatentable over US publication number 2004/0176920 (Monfared) in view of USPN 4,384,368 (Rosenfeldt). Further, claims 8-11, 20-23, 37-39, 50-52, 63-65, and 68-71 are rejected under 35 USC § 103(a) as being unpatentable over US publication number 2004/0176920 (Monfared) in view of USPN 4,384,368 (Rosenfeldt) and US publication number 2002/0084994 (Hansen). These rejections are traversed.

Monfared is not properly combinable with Rosenfeldt or Hansen. Monfared has a filing date of March 3, 2003 and a publication date of September 9, 2004. The present application, however, has a filing date of January 8, 2004. While Monfared has a filing date before the filing date of the present application, the publication date of Monfared is after the filing date of the present application. As such, Monfared is classified as a 35 U.S.C. §102(e) reference. In other words, the present application and Monfared were, at the time of the invention of the present application, commonly owned by Hewlett-Packard Company. Since Monfared only qualifies as prior art under 35 U.S.C. §102(e), Applicants submit that under the prior art exclusion of 35 U.S.C. §103(c), Monfared does not qualify as a 35 U.S.C. §102(e) reference in an obviousness rejection under 35 U.S.C. §103(a) (*see* MPEP §706.02(1)(3); *see also* MPEP §706.07(a)).

Applicants respectfully request that the rejections be withdrawn.

### **CONCLUSION**

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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